

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

ALAN DAVIS,

Plaintiff,

v.

XPW WRESTLING INC.,

Defendant.

**DECLARATION IN SUPPORT OF  
REQUEST FOR CLERK'S  
CERTIFICATE OF ENTRY  
OF DEFAULT**

Civil Case No.: 5:23-cv-00675-FJS-ATB

I, Craig B Sanders, hereby declares and says:

1. I am the attorney for the plaintiff Alan Davis ("Plaintiff") in this action and declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

2. I submit this declaration in accordance with Rule 55(a) of the Federal Rules of Civil Procedure, in support of Plaintiff's application for a certificate of default against defendant XPW Wrestling Inc. ("Defendant").

3. The summons in this matter was issued on June 7, 2023 (Dkt No. 2) against XPW Wrestling Inc. and was served on Defendant, via the Office of the Secretary of State for the State of New York by personal service upon Nancy Dougherty, a clerk in the Office of the Secretary of State, on June 14, 2023 (Dkt No. 5).

4. The affidavit of service and returned summons were filed on June 16, 2023. *Id.* No answer or motion has been received within the time limit set by the Federal Rules of Civil Procedure or otherwise set by the Court.

5. XPW Wrestling Inc. is not an infant or incompetent person, is not in the military service, was properly served under Fed. R. Civ. P. 4 with proof of service having been filed with

the court and has defaulted in appearance in the above captioned action.

WHEREFORE, plaintiff Alan Davis requests that the default of defendant XPW Wrestling Inc. be noted, and a certificate of default issued.

DATED: July 21, 2023

**SANDERS LAW GROUP**

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